

SECOND REGULAR SESSION

HOUSE BILL NO. 791

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOYKINS.

Pre-filed December 1, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2764L.011

AN ACT

To repeal section 195.214, RSMo, and to enact in lieu thereof one new section relating to distribution of controlled substances near schools, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 195.214, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.214, to read as follows:

195.214. 1. A person commits the offense of distribution of a controlled substance near schools if such person violates section 195.211 by unlawfully distributing or delivering any controlled substance to a person in or on, or within two thousand feet of, the real property comprising a **residence of an in-home child care provider, a child care facility, a long-term care facility**, public or private elementary or secondary school, public vocational school, or a public or private junior college, college or university or on any school bus.

2. Distribution of a controlled substance near schools is a class A felony which term shall be served without probation or parole if the court finds the defendant is a persistent drug offender.